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ALLTEL SERVICE CORPORATION

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September 2, 1992

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street NW, Room 222
Washington, DC 20554

RE: In the Matter of Policies and Rules Pertaining to the Equal
Access Obligations of Cellular Carriers (RM-8012)

Dear Ms. Searcy:

Enclosed for filing on behalf of ALLTEL Mobile Communications, Inc. are an original and nine copies of its comments in the above referenced matter.

Should there be any questions concerning this matter, please contact the undersigned counsel.

Sincerely,

Carolyn C. Hill
Federal Regulatory Counsel

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Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
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Policies and Rules Pertaining)
to the Equal Access Obligations) RM-8012
of Cellular Carriers)

Comments of ALLTEL Mobile Communications, Inc.

ALLTEL Mobile Communications, Inc., on behalf of itself and its cellular subsidiaries (hereafter collectively referred to as the "ALLTEL Mobile Companies"), pursuant to the Commission's Public Notice released June 10, 1992, DA 92-745, hereby submits its comments on the petition for rulemaking submitted by MCI Telecommunications Corporation (MCI) in the referenced matter.

MCI's petition requests that the Commission institute a rulemaking proceeding "to apply uniform, nationwide policies and rules to the provision of interexchange equal access by cellular licensees." (MCI petition, page 1). The ALLTEL Mobile Companies submit that MCI has not demonstrated any public interest requirement to support the requested action. Equal access obligations were originally imposed on the Bell Telephone Operating Companies (BOCs) under a consent decree as providers of local exchange telephone service and the determined need to ensure access on a non-discriminatory to bottleneck local exchange facilities by interexchange carriers, such as MCI. United States v. AT&T, 552 F.Supp. 131 (D.D.C. 1982), aff'd mem. sub. nom, Maryland v. U.S. 1001 (1983). The FCC's subsequent imposition of equal access

obligations on the independent telephone companies was based on similar concerns about access to local bottleneck facilities. MTS and WATS Market Structure - Phase III, 100 F.C.C.2d 860, 861 (1985). The application thereafter of equal access obligations on the BOCs' cellular operations was grounded on the requirements of the consent decree. The removal of these obligations on the BOCs' cellular operations is currently before the Department of Justice for consideration.

It is evident from a review of the history of the aforementioned proceedings that equal access obligations emanated from a concern about access to the local exchange facilities of telephone companies and such obligations do not involve or pertain to the competitive radio facilities of cellular companies, such as the ALLTEL Mobile Companies. Accordingly, the ALLTEL Mobile Companies submit that MCI's petition should be denied.

MCI's petition ignores the fact that cellular subscribers can choose among both facilities-based carriers and resellers for their cellular and long distance services. Should a subscriber be dissatisfied with his rates, he can choose among other cellular licensees to provide service. The ALLTEL Mobile Companies, however, have not experienced any appreciable demand for equal access from their subscribers. Moreover, MCI's contention that cellular subscribers may be paying market rate does not translate into rate gouging. Lastly, MCI's petition ignores the fact that the equal access obligations it seeks to impose on cellular

companies, such as the ALLTEL Mobile Companies, would result in the imposition of additional costs for software and hardware without yielding any concomitant public interest benefits.

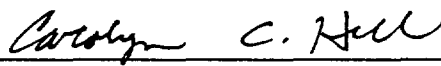
Conclusion

The ALLTEL Mobile Companies submit that MCI has not demonstrated any basis for the Commission to institute the requested rulemaking. Accordingly, the ALLTEL Mobile Companies respectfully request that the Commission dismiss MCI's petition.

Respectfully submitted,

ALLTEL Mobile Communications, Inc.

By:



Carolyn C. Hill
ALLTEL Service Corporation
1710 Rhode Island Ave NW Suite 1000
Washington, DC 20036

Its Attorney

September 2, 1992

Certificate of Service

I, Rita Ferrando, do hereby certify that on this 2nd day of September 1992 copies of the foregoing comments were served by hand or by U. S. Mail, postage prepaid, upon the following:

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September 2, 1992